

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

Christopher Cantwell,)
Plaintiff,)
)
v.)
)
)
Emily Gorcenski et al.)
Defendant.)

Civil Action No. 3:17Cv000089

Judge: Norman K. Moon

1. I am Chris Cantwell. I am over the age of 18 and competent to testify. I make this declaration of my own personal knowledge.
2. On the night of August 11, 2017, I participated in a political rally at the Thomas Jefferson Monument, near the Rotunda on the public property of the Commonwealth of Virginia known as the University of Virginia.
3. The statue of Jefferson faces generally north, towards University Avenue. The Rotunda building is behind him, or generally south. Exhibit G to the Complaint is a true and accurate rough diagram.
4. I was under the impression that there would be a police presence during the event. As we marched towards the monument, ANTIFAs were intentionally bumping into the people with the torches, trying to pick a fight.
5. I was carrying a flashlight and my keychain pepper spray that I bought off of eBay months earlier.
6. As we approached the monument, I was put further on edge because there were more ANTIFAs and no police presence at all. I thought that the police would be between us and ANTIFA.
7. I have reviewed the Baked Alaska Raw Footage Video and to the extent I appear in it, it is an accurate record of my actions.

8. I saw a man in a tank top fighting with a bearded man in orange sleeves. A man in a green/brown shirt wearing a black beany style hat, aka Beanyman, attacked Tank Top to help undersleeves BARF at 5:36.
9. I saw Beanyman go down and tank top disengage. Beanyman was now facing me and we made eye contact; he had murder in his eyes and was coming after me. BARF 5:37 Beanyman popped back up.
10. At the same time that Beanyman popped up, a mob of people came at me from my left. A person, now known to me as Kris Goad, was at Beanyman's right elbow; the rest of the mob was behind them.
11. Beanyman was the most immediate threat because I had just seen him attack Tank Top, fight, was closest to me, and appeared to be leading the mob. He came towards me in a threatening stance at which point I pepper sprayed him. I thought he was going to punch me.
12. Goad disengaged when I sprayed Beanyman, since he was no longer a threat, I did not spray him.
13. I have reviewed the Unicorn Riot video of these events, and to the extent that I appear in it, it is an accurate record of my actions. Clip MP 12 is from the Unicorn Riot video and shows Beanyman popping up, Goad moving forward at me, Beanyman about to attack me with Goad, and me spraying Beanyman. MP 15 is immediately after MP 12 in time. MP 16 is next in time. I am frame right. In the background, a man in a tracksuit runs in in the background, and falls down. According to the elapsed time counter on the video, within 1 second of my spraying Beanyman, Goad picks me out of the crowd, and points directly at me. Within two seconds of my spraying Beanyman, he yells "That man has mace!" Goad is frame left facing west, a good 6 feet to my left.
14. MP 17 is from the Unicorn Riot Video and to the extent I appear in it, it is an accurate record of my actions. After yelling "That man has mace," ANTIFA shifted laterally to their own left, putting a person in a checked shirt in front of Goad. I am frame right.
15. To my right front, Antifas were attacking the man in a tracksuit. A bearded Antifa kicked him in the head, and then in the ribs, and then came straight at me with his left hand extended. I thought this was the guy I had just sprayed, Beanyman, and was surprised that he was still fighting. MP 16 shows that this was not Beanyman, but Tom Massey. MP 16 also shows that before I hit the button, someone rose up in front of me, raising my arm up, and my thumb came off the button. I brought it back down and aimed my pepper

spray at him over someone's shoulder but when I pressed the button but it just fizzled. At the time, Goad was behind the guy in the checked shirt and about 10 feet from me.

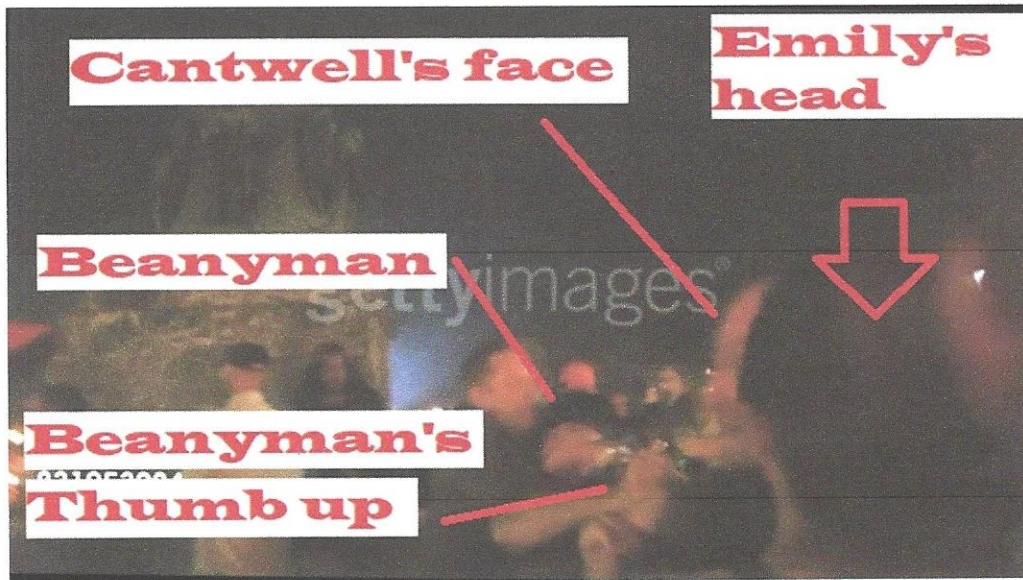
16. This is a screenshot from that video. The designations are accurate. The guy in the gray shirt with the camera is blocking the guy in the checked shirt.



17. Massey turned around and attacked a group of our guys by the southwest corner of the monument, and so I let go the pepper spray, chased him, and began to hit him with my fists in defense of others.
18. I have reviewed the AllinOneNews video, and to the extent I appear in it is an accurate record of my actions. MP 19 and 20 are from the AllinOne News video and are taken from a slightly different angle than the Unicorn Riot video. In MP 19, I am frame center, in the black t shirt, with my arms out chasing Massey, between 10 and 20 feet away when Goad is sprayed from Goad's right. In MP 20, I move further away from Goad.
19. Based on the elapsed time counter in the Unicorn Riot video, I sprayed Beanyman about five seconds before presenting at Massey, and I presented at Massey about three seconds before Goad was sprayed from his right. MP 23 is from the Unicorn Riot Video, and is an

accurate record of my actions; it too shows my position when Goad was sprayed in the face from his right. His head is pointed straight at me when he was sprayed from his right.

20. MP 24, 25, and 26 are from the Unicorn Riot Video and is an accurate record of my actions. It shows me on the west face of the monument, near the southwest corner even further away from Goad, when Goad himself is on the north face, and the torch candles hit the ground. MP 26 shows me at the southwest corner when Goad stomps the candle on the ground. MP 27 is from the AllinOne News video, and is an accurate record of my actions. It too shows me at the southwest corner when Goad is stomping the candle on the ground, with his glasses on his nose.
21. I sprayed Beanyman because he and Goad were about to attack me. I never sprayed Goad; I never sprayed him in the face; I have never used gel mace.
22. After the above, I went around the southwest corner of the monument towards the southeast corner. I have reviewed the News2 Share video, and to the extent I appear in it, it is an accurate record of my actions. MP 34, 35, 35a, 36, 36a and 37 are from it.
23. I saw a female ANTIFA with an expandable baton, or asp, like police carry. I yelled "Get that ***** stick!" and moved forward to disarm her. I was afraid she was going to break my or someone else's skull open with it. An Antifa did so with a bike lock a few months earlier in Berkley, California. [MP34]
24. As I did, Beanyman attacked me from the base of the monument. Another Monumental intercepted Beanyman and put him in a headlock. [MP35] [MP35a Screenshot]. Beanyman sprayed me. [MP36] [MP36a Screenshot] I reacted to the pepper spray attack. [MP37]
25. When I got there, I was pepper sprayed straight in the face. It was like a fire hose. I was soaked, and it even went down my pants. I put my hands up because of the pepper spray and because I was afraid that I would get hit by the baton.
26. I am familiar with Emily Gorcenski and her appearance that night. At the time I was sprayed, Gorcenski's head was about level with Greenshirt's armpit, [MP42] and Gorcenski was right next to me. I have reviewed several videos of the event. To the extent that I appear in it, the "Guardian Getty Hi Quality" video is an accurate record of my actions. It reveals that Beanyman is the one who sprayed me when I was trying to disarm the woman with the asp. It also shows that Emily Gorcenski was immediately behind me when Beanyman sprayed me. This is a screen shot from that video; the designations are accurate.



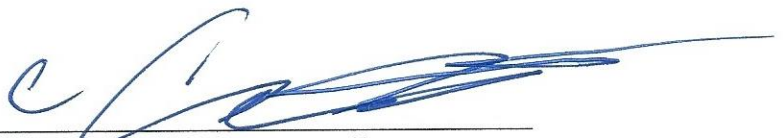
27. I have reviewed the Guardian Getty High Quality video, and to the extent I appear in it, it is an accurate record of my actions. It too shows Gorcenski's position right next to me when Beanyman sprayed me.

28. After being sprayed, I moved southeasterly, turned around, and then retired out of the crowd away to the southeast. [MP42] I was treated for the effects of pepper spray.

29. I spent 107 days in the Albemarle County Regional Jail.

30. I declare under penalty of perjury that the foregoing is true and correct. Executed on

5-12-2018.



Christopher Charles Cantwell